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October 26, 2022

BY ECF

Hon. J. Paul Oetken  
United States District Judge  
United States District Court for  
the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Commodity Futures Trading Commission v. Archegos  
Capital Management, LP et ano.*, No. 22-cv-3401 (JPO)

Dear Judge Oetken:

This firm represents defendant Patrick Halligan in the above-referenced matter. We write to request an enlargement of the page limit for Mr. Halligan's memorandum of law in support of his forthcoming motion to dismiss the Commodity Futures Trading Commission's ("CFTC") amended complaint [ECF No. 33]. We have conferred with counsel for the CFTC, who has advised that the CFTC does not object to our request, subject to our agreement that we will not object to a future request by the CFTC for a commensurate enlargement of the page limit for its brief in opposition to Mr. Halligan's motion. We have also conferred for the other defendant, Archegos Capital Management, LP ("ACM"), who has advised that ACM does not object to this request.

The CFTC's amended complaint is 44 pages long, with 93 separately enumerated paragraphs, and also includes a 10-page, single-spaced appendix of transactions that the CFTC relies upon in support of its assertion of regulatory jurisdiction over this matter. Mr. Halligan's anticipated motion to dismiss will challenge the CFTC's jurisdiction to assert claims against Mr. Halligan based on the conduct and transactions described in the amended complaint, and it will argue that the CFTC has failed to sufficiently plead a claim against Mr. Halligan under prevailing law. The motion will also address significant developments in the law since Mr. Halligan's initial motion to dismiss, including the Second Circuit's recent decision in *SEC v. Rio Tinto plc*, 41 F.4th 47, 49 (2d Cir. 2022), which addresses the permissible parameters of claims for "scheme liability" like the CFTC purports to assert in this case.

To fully address these and the other issues that will be the subject of Mr. Halligan's motion to dismiss, which is due to be filed no later than November 1, 2022, we respectfully request that Mr. Halligan be permitted to file a memorandum of law of up to 40

Hon. J. Paul Oetken

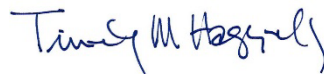
- 2 -

October 26, 2022

pages in support of his motion. As noted above, counsel for all parties have advised that they do not object to this request; the CFTC's non-objection was conditioned to our agreement that we will not object to a future request by the CFTC to file a brief of up to 40 pages to oppose Mr. Halligan's motion. We have advised the CFTC that we will not oppose such a request.

We thank the Court for its attention to this matter and are available to address any questions that the Court may have.

Respectfully submitted,

A handwritten signature in blue ink, reading "Timothy M. Haggerty".

Timothy M. Haggerty

cc: All Counsel (by ECF)